

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

JODY MCCREARY, #1142309 §

VS. § CIVIL ACTION NO. 6:09cv59

DONALD S. DAVIDSON §

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

ORDERED that the Plaintiff's motion to dismiss (docket entry #12) is **GRANTED** and the complaint is **DISMISSED** without prejudice. Fed. R. Civ. P. 41(a)(1)(A)(i). All motions not previously ruled on are hereby denied.

So ORDERED and SIGNED this 15th day of April, 2009.



**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**